

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

DIANE D. JONES, individually and on	)	
behalf of herself and all others similarly	)	Civ. No. 3:19-cv-02087-B
situated,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	
REALPAGE, INC. d/b/a LEASINGDESK	)	
SCREENING,	)	
	)	
<i>Defendant.</i>	)	

**MOTION TO COMPEL AND FOR SANCTIONS**

Plaintiff Diane D. Jones, through her undersigned attorneys and pursuant to Fed. R. Civ. P 37(d)(3) and 37(b)(2), moves to compel Defendant RealPage, Inc. to provide a correct response to Plaintiff's Interrogatory 15 and to produce documents responsive to Plaintiff's Document Request 2, and for sanctions, for the reasons set forth in Plaintiff's contemporaneously filed Memorandum in Support.

Respectfully submitted,

/s/ John Soumilas  
James A. Francis  
John Soumilas  
Lauren KW Brennan  
**Francis Mailman Soumilas, P.C.**  
1600 Market Street, Suite 2510  
Philadelphia, PA 19103  
Tel: (215) 735-8600  
Fax: (215) 940-8000

Michael A. Caddell  
Cynthia B. Chapman  
Amy E. Tabor  
**Caddell & Chapman**  
628 East 9<sup>th</sup> Street  
Houston, TX 77007  
T: 713.751.0400  
E: mac@caddellchapman.com  
E: cbc@caddellchapman.com  
E: aet@caddellchapman.com

Jim Flegle  
**Loewinsohn Flegle Deary Simon LLP**  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
T: 214.572.1700  
E: jimf@lfdslaw.com

Edward Y. Kroub  
**Cohen & Mizrahi LLP**  
300 Cadman Plaza West, 12<sup>th</sup> Floor  
Brooklyn, NY 11201  
T: 929/575-4175  
F: 929/575-4195  
E: edward@cml.legal

*Attorneys for Plaintiff Diane D. Jones*

### **Certificate of Conference**

As set forth in further detail in the accompanying Memorandum, the undersigned certifies that Plaintiff conferred with counsel regarding the relief sought in the above Motion on multiple occasions, including (1) via telephone on several occasions in August 2019 in connection with a discovery dispute addressing nearly identical issues prior to transfer of this matter to this Court; (2) via telephone on December 2, 2019 during which Timothy St. George and Jessica Lohr, counsel for Defendant, and Lauren KW Brennan, counsel for Plaintiff, discussed matters raised in this Motion, (3) via email between December 2, 2019 and December 6, 2020, (4) at a face-to-face meeting in Dallas, Texas on December 17, 2020, (5) face-to-face and on the record during the February 11, 2020 deposition of Manjit Sohal, and (6) via letter and email between February 14, 2020 and February 19, 2020. The parties were not able to reach agreement on these issues. Thus, this motion is presented as opposed for the Court's consideration.

/s/ John Soumilas  
John Soumilas

**Certificate of Service**

Pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Northern District of Texas, I hereby certify that this document was filed February 21, 2020, through the Electronic Case Files system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ John Soumilas  
John Soumilas

Dated: February 21, 2020